

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

EVENS JEAN-BAPTISTE,

Plaintiff,

v.

UNITED AIRLINES, et al.,

Defendants.

Civil Action No. 15-1046 (CCC-JBC)

ORDER

This matter comes before the Court on Plaintiff Evens Jean-Baptiste's ("Plaintiff") motion to remand this action to state court pursuant to 28 U.S.C. § 1447(c). [ECF No. 5] Defendant United Airlines, Inc. ("Defendant") stated to the Court that it would "forego filing opposition to the present motion if Plaintiff executes a formal Stipulation Capping Damages at a sum less than the jurisdiction amount" of \$75,000. [See ECF No. 7] On March 19, 2015, counsel for Defendant filed such a stipulation signed by counsel for both parties. [ECF No. 8-1] Thus, no opposition has been filed in response to the present motion. On March 25, 2015, Magistrate Judge James B. Clark III issued a Report and Recommendation that Plaintiff's motion be granted in which he noted that the parties "have essentially agreed to remand this matter by way of their stipulation." [ECF No. 9] The deadline to file objections was April 8, 2015, and no objections have been filed thereto. The Court has considered the submissions of the parties and Judge Clark's Report and Recommendation, and for substantially the same reasons stated therein;

IT IS on this 2nd day of April, 2015,

ORDERED that this Court adopts Judge Clark's March 25, 2015 Report and Recommendation that Plaintiffs' motion be granted [ECF No. 9]; and it is further

ORDERED that this action be remanded the Superior Court of New Jersey, Law Division, Essex County pursuant to 28 U.S.C. § 1447(c); and it is further

ORDERED that the Clerk shall close the file in this matter.

SO ORDERED.



CLAIRE C. CECCHI, U.S.D.J.